

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
CELVIN LISANDRO PEREZ RAMOS, et al.

Plaintiffs,

-v-

BDJVEGAN1, INC., et al.

Defendants.

CIVIL ACTION NO.: 16 Civ. 8776 (SLC)

**ORDER TO SUBMIT SETTLEMENT
MATERIALS**

SARAH L. CAVE, United States Magistrate Judge.

On September 30, 2020, the parties consented to the jurisdiction of a United States Magistrate Judge for all purposes. (ECF No. 74). On June 14, 2021, the parties advised the Court that they have reached a settlement in principle. (ECF No. 98).

This case contains one or more claims arising under the Fair Labor Standards Act. In light of the requirements of Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015), the parties must file a joint Letter-Motion that addresses whether the settlement is fair and reasonable.

The parties must file their Letter-Motion by **July 14, 2021**, and should address the claims and defenses, the defendants' potential monetary exposure and the bases for any such calculations, the strengths and weaknesses of the plaintiffs' case and the defendants' defenses, any other factors that justify the discrepancy between the potential value of plaintiffs' claims and the settlement amount, the litigation and negotiation process, as well as any other issues that might be pertinent to the question of whether the settlement is reasonable (for example, the collectability of any judgment if the case went to trial).

The joint Letter-Motion should also explain the attorneys' fee arrangement, attach a copy of any retainer agreement, and provide information as to actual attorneys' fees incurred (including billing records and cost documentation). Finally, a copy of the settlement agreement itself must accompany the joint Letter-Motion.

The bench trial currently scheduled to begin on Wednesday, July 21, 2021 and the related deadline for submission of all pre-trial materials are ADJOURNED sine die.

Dated: New York, New York
June 14, 2021

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge